



January 4, 2006

Via Facsimile and U.S. Mail
(360) 598-6295

Leonard Forsman
Tribal Chairman
Suquamish Tribe
Office of the Tribal Council
P.O. Box 498
Suquamish, WA 98392-0498

RE: Approval of Amendment to Suquamish Gaming Ordinance

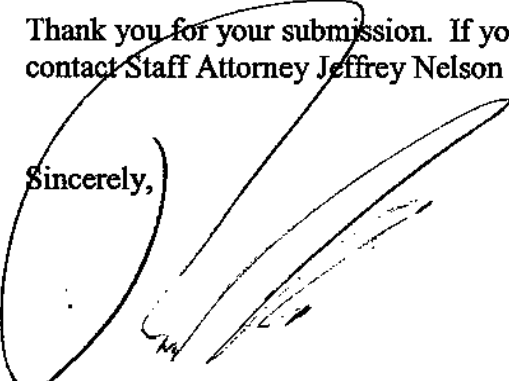
Dear Chairman Forsman:

This is in response to your letter dated October 24, 2005, requesting review and approval of Suquamish Tribe Resolution # 2005-181, amending the Tribe's previously-approved Class II and Class III gaming ordinance.

The amendments to the Tribe's previously-approved gaming ordinance do not conflict with the requirements of the Indian Gaming Regulatory Act (IGRA) and the National Indian Gaming Commission's regulations. Therefore, the amended tribal gaming ordinance is hereby approved.

Thank you for your submission. If you have any questions or require assistance, please contact Staff Attorney Jeffrey Nelson at (202) 632-7003.

Sincerely,



Philip N. Hogen
Chairman

**THE SUQUAMISH TRIBE
PORT MADISON INDIAN RESERVATION
RESOLUTION # 2005-181**

WHEREAS, the Suquamish Tribal Council is the duly constituted governing body of the Port Madison Indian Reservation by authority of the Constitution and Bylaws for the Suquamish Tribe as approved on July 2, 1965, by the Under Secretary for the United States Department of the Interior; and

WHEREAS, under the Constitution and Bylaws of the Tribe, the Suquamish Tribal Council is charged with the duty of governing the conduct of persons within the exterior boundaries of the Reservation, regulating the use of property within the Tribe's jurisdiction, providing law and order to the Reservation community and promoting the social and economic welfare of the Suquamish People; and

WHEREAS, pursuant to its sovereign powers, the Suquamish Tribal Council, on October 23, 1995, adopted a Gaming Ordinance regulating the conduct of persons operating or participating in Class I, Class II and Class III gaming activities within its jurisdiction, which ordinance as amended is codified as Chapter 11.5 of the Suquamish Tribal Code; and

WHEREAS, the Suquamish Tribal Council has determined a need to amend and revise certain provisions of its Gaming Ordinance to increase the number of members of the Suquamish Tribal Gaming Commission from three to five, and to eliminate the alternate commissioner position, has been advised of and fully discussed the positive and potential negative impacts of the proposed amendment, and has determined that the proposed amendment is in the best interest of the Tribe and its membership.

NOW, THEREFORE, BE IT RESOLVED THAT:

Sections 11.5.15, 11.5.16, 11.5.17, 11.5.18, 11.5.19, 11.5.20, and 11.5.24 of the Suquamish Tribal Code are amended to read as follows:

11.5.15 Suquamish Gaming Commission—Establishment. The Suquamish Tribal Council is authorized to establish a Suquamish Tribal Gaming Commission, empowered to administer this chapter and to exercise all the powers necessary and proper as set forth in this chapter, and to designate five members to be its commissioners. (Res. 95-031

(part), passed Apr. 3, 1995)

11.5.16 Terms for Commissioners. Appointment of commissioners shall be for a period of three years, except that of the initial commissioners, one commissioner shall be appointed for one year, one for two years and one for three years, and of the two commissioners added in 2005, one shall be appointed for one year and one for two years, in order to achieve a staggered appointment schedule and to provide continuity within the commission. The commissioners may be reappointed for one or more successive terms.
(Res. 95-031 (part), passed Apr. 3, 1995)

11.5.17 Minimum Qualifications for Commissioners. (a) The gaming commissioners shall possess and demonstrate as minimum qualifications:

- (1) Knowledge, experience or familiarity with business management; or
- (2) Knowledge of and experience in administration and administrative procedure.

(b) The gaming commissioners shall also possess or express a willingness to acquire:

- (1) Knowledge of and experience in the commercial gaming industry;
- (2) Familiarity with I.G.R.A; and
- (3) Knowledge of and experience in law enforcement.

(Res. 95-031 (part), passed Apr. 3, 1995)

11.5.18 Appointment of Commissioners. (a) Gaming commissioners shall be appointed

from among the tribe's general council membership, including the appointment of at least one Suquamish Tribal Council member, except the tribal council may, at its option, appoint one non-member Indian or a non-Indian where such person has demonstrated expertise in critical areas of gaming regulation or law enforcement. The gaming commission shall insure that commissioners who are tribal members are trained to assume full responsibility to regulate the tribal gaming facility as soon as practicable.

(b) No person shall be appointed to the gaming commission unless the tribal council is satisfied that such nominee:

(1) Is a person of good character, honesty and integrity, whose prior activities, criminal record, if any, and reputation, habits, associations do not pose a threat to the public interest of the tribe, its members, or to the effective regulation of gaming, or create or enhance the dangers of unsuitable, unfair, or illegal practices and methods and activities in the conduct of gaming or the carrying on of the business and financial arrangements incidental thereto; and

(2) Has no interest in any private gaming activity on Suquamish Indian lands or any activity which may have interests which conflict with the tribal gaming operation.

(c) A tribal council member who also serves as a gaming commissioner shall promptly vacate his or her position with the gaming commission in the event, and as a result of, a voluntary resignation, recall, non-reelection, serious illness, death or for another reason, he or she no longer serves on the tribal council. Upon the vacation of the position, the tribal council shall appoint another tribal council member as a gaming commissioner to fulfill the remaining term of the vacated position.

(d) Upon appointment, but prior to sitting as a commissioner, each appointee must pass a drug test, a criminal background investigation and a credit background investigation. (Res. 95-031 (part), passed Apr. 3, 1995; amended by Res. 96-006 (part), passed Jan. 16, 1996)


11.5.19 Commissioners—No Financial Interest in Gaming. No commissioner shall have any direct or indirect financial interest in the Class II or Class III gaming activities. (Res. 95-031 (part), passed Apr. 3, 1995)

11.5.20 Commissioners—Compensation. Tribal gaming commissioners shall receive, at minimum, a stipend or be reasonably compensated, as determined by the tribal council in its annual tribal budgeting process. Any stipend or compensation shall be paid from the tribe's income from gaming activities, including taxes and profits paid to the tribe from the Class II and Class III gaming activities. (Res. 95-031 (part), passed Apr. 3, 1995)

11.5.24 Meetings—Schedule, Notice; Quorum. The commission shall regularly meet monthly. The commission shall also meet at the request of two members of the commission or the chairperson of the tribal council. A quorum shall be three members. Voting shall be by majority. Notice of the meetings shall be given to commission members and to the tribal council at least five days prior to the meeting except in the case of an emergency or special meeting. An agenda shall be established. Minutes shall be recorded, filed and maintained for three years. (Res. 95-031 (part), passed Apr. 3, 1995; amended by Res. 96-006 (part), passed Jan. 16, 1996)

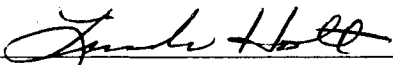
CERTIFICATION

The foregoing Resolution was duly adopted on October 3, 2005, at a regular meeting of the Suquamish Tribal Council at which a quorum was present, by a vote of 6 for, ~~0~~ against, with 0 abstention(s), in accordance with and pursuant to the authority vested in it by the Constitution and the Bylaws of the Suquamish Indian Tribe as indicated in the body hereof.



Leonard Forsman, Tribal Chairman

Attested to by:



Linda Holt, Tribal Secretary